

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Davis et al.,)	
)	
	Plaintiff,	Case No.: 1:23-cv-10799
v.)	
)	Dist. Judge Andrea R. Wood
The Entities listed on Exhibit 1,)	
)	Mag. Judge Gabriel A. Fuentes
Defendants.)	

Motion to Set Briefing Schedule

NOW COME Snappok (22), Snappok (92), foltrend (53), Hugotok (64), and giftanii (57) (hereinafter “Defendants”), by and through their undersigned counsel, and hereby respectfully request that this Court set a briefing schedule on Plaintiff’s Motion for Entry of Preliminary Injunction, and in support state as follows:

1. Plaintiff filed its Complaint on September 13, 2023, alleging that Defendants committed trademark infringement, copyright infringement, patent infringement, and related claims. [Dkt. 1].
2. On September 22, 2023, Plaintiff filed an *ex parte* motion for entry of a temporary restraining order, which the Court ultimately granted on November 1, 2023. [Dkt. 9, 21].
3. On November 11, 2023, Plaintiff filed its Motion for Entry of a Preliminary Injunction. [Dkt. 26].
4. The Davis Declaration remains sealed. [Dkt. 12].
5. Defendants recently obtained local counsel. Defendants need a short time to review and confirm the exact basis for Plaintiff’s claims against each of them in order to appreciably oppose Plaintiff’s motion for entry of a preliminary injunction. Defendants believe the issues relate to (i) whether their use of any imagery infringes material purportedly covered under Plaintiff’s U.S.

copyright registration(s); (ii) whether the products they sold bore sufficient non-functional aspects of Plaintiff's design patent; (iii) whether they "used" of any source identifier purportedly owned by Plaintiff, (iv) whether the products they sold were in-fact covered under Plaintiff's utility patent, and (v) whether they in-fact used Plaintiff Davis' identifiable name or likeness.

Meritorious arguments would apply to each of these questions.

6. Defendants need a short time to respond to Plaintiff's motion.

WHEREFORE, Defendants respectfully request that:

- A. The Jones Declaration and related sealed material [Dkts. 7, 8, 12, 14, 19] be unsealed; and
- B. Defendants be allowed until December 8, 2023, to respond to Plaintiff's Motion for Entry of Preliminary Injunction.

Dated: November 29, 2023

Respectfully Submitted,

/s/Adam E. Urbanczyk

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